

107TH CONGRESS
2D SESSION

H. R. 5504

To provide for the improvement of the safety of child restraints in passenger motor vehicles, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 1, 2002

Mr. SHIMKUS (for himself, Mr. TAUZIN, Mr. WALDEN, Mr. PICKERING, Mr. TERRY, Mrs. BONO, and Mr. BARTON of Texas) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To provide for the improvement of the safety of child restraints in passenger motor vehicles, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Child Safety Enhance-
5 ment Act of 2002”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) It is the policy of the Department of Trans-
9 portation that all child occupants of motor vehicles,

1 regardless of seating position, be appropriately re-
2 strained in order to reduce the incidence of injuries
3 and fatalities resulting from motor vehicle crashes
4 on the streets, roads, and highways.

5 (2) Research has shown that very few children
6 between the ages of 4 to 8 years old are in the ap-
7 propriate restraint for their age when riding in pas-
8 senger motor vehicles.

9 (3) Children who have outgrown their child
10 safety seats should ride in a belt-positioning booster
11 seat until an adult seat belt fits properly.

12 (4) Children who were properly restrained when
13 riding in passenger motor vehicles suffered less se-
14 vere injuries from accidents than children not prop-
15 erly restrained.

16 **SEC. 3. IMPROVEMENT OF SAFETY OF CHILD RESTRAINTS**
17 **IN PASSENGER MOTOR VEHICLES.**

18 (a) IN GENERAL.—The Secretary of Transportation
19 (hereafter referred to as the “Secretary”) shall initiate a
20 rulemaking proceeding to establish performance require-
21 ments for child restraints, including booster seats, for the
22 restraint of children weighing more than 50 pounds.

23 (b) ELEMENTS FOR CONSIDERATION.—In the rule-
24 making proceeding required by subsection (a), the Sec-
25 retary shall—

1 (1) consider whether to include injury perform-
2 ance criteria for child restraints, including booster
3 seats and other products for use in passenger motor
4 vehicles for the restraint of children weighing more
5 than 50 pounds, under the requirements established
6 in the rulemaking proceeding;

7 (2) consider whether to establish performance
8 requirements for seat belt fit when used with booster
9 seats and other belt guidance devices;

10 (3) consider whether to address situations
11 where children weighing more than 50 pounds only
12 have access to seating positions with lap belts, such
13 as allowing tethered child restraints for such chil-
14 dren; and

15 (4) review the definition of the term “booster
16 seat” in Federal motor vehicle safety standard No.
17 213 under section 571.213 of title 49, Code of Fed-
18 eral Regulation, to determine if it is sufficiently
19 comprehensive.

20 (c) COMPLETION.—The Secretary shall complete the
21 rulemaking proceeding required by subsection (a) not later
22 than 30 months after the date of the enactment of this
23 Act.

1 **SEC. 4. DEVELOPMENT OF ANTHROPOMORPHIC TEST DE-**
2 **VICE SIMULATING A 10-YEAR OLD CHILD.**

3 (a) DEVELOPMENT AND EVALUATION.—Not later
4 than 24 months after the date of the enactment of this
5 Act, the Secretary shall develop and evaluate an
6 anthropomorphic test device that simulates a 10-year old
7 child for use in testing child restraints used in passenger
8 motor vehicles.

9 (b) ADOPTION BY RULEMAKING.—Within 1 year fol-
10 lowing the development and evaluation carried out under
11 subsection (a), the Secretary shall initiate a rulemaking
12 proceeding for the adoption of an anthropomorphic test
13 device as developed under subsection (a).

14 **SEC. 5. REQUIREMENTS FOR INSTALLATION OF LAP AND**
15 **SHOULDER BELTS.**

16 (a) IN GENERAL.—Not later than 24 months after
17 the date of the enactment of this Act, the Secretary shall
18 complete a rulemaking proceeding to amend Federal
19 motor vehicle safety standard No. 208 under section
20 571.208 of title 49, Code of Federal Regulations, relating
21 to occupant crash protection, in order to—

22 (1) require a lap and shoulder belt assembly for
23 each rear designated seating position in a passenger
24 motor vehicle with a gross vehicle weight rating of
25 10,000 pounds or less, except that if the Secretary
26 determines that installation of a lap and shoulder

1 belt assembly is not practicable for a particular des-
2 ignated seating position in a particular type of pas-
3 senger motor vehicle, the Secretary may exclude the
4 designated seating position from the requirement;
5 and

6 (2) apply that requirement to passenger motor
7 vehicles in phases in accordance with subsection (b).

8 (b) IMPLEMENTATION SCHEDULE.—The requirement
9 prescribed under subsection (a)(1) shall be implemented
10 in phases on a production year basis beginning with the
11 production year that begins not later than 12 months after
12 the end of the year in which the regulations are prescribed
13 under subsection (a). The final rule shall apply to all pas-
14 senger motor vehicles with a gross vehicle weight rating
15 of 10,000 pounds or less that are manufactured in the
16 third production year of the implementation phase-in
17 under the schedule.

18 **SEC. 6. EVALUATION OF INTEGRATED CHILD SAFETY SYS-**
19 **TEMS.**

20 (a) EVALUATION.—Not later than 180 days after the
21 date of enactment of this Act, the Secretary shall initiate
22 an evaluation of integrated or built-in child restraints and
23 booster seats. The evaluation should include—

24 (1) the safety of the child restraint and correct-
25 ness of fit for the child;

1 (2) the availability of testing data on the sys-
2 tem and vehicle in which the child restraint will be
3 used;

4 (3) the compatibility of the child restraint with
5 different makes and models;

6 (4) the cost-effectiveness of mass production of
7 the child restraint for consumers;

8 (5) the ease of use and relative availability of
9 the child restraint to children riding in motor vehi-
10 cles; and

11 (6) the benefits of built-in seats for improving
12 compliance with State child occupant restraint laws.

13 (b) REPORT.—Not later than 12 months after the
14 date of enactment of this Act, the Secretary shall transmit
15 to the Committee on Energy and Commerce of the House
16 of Representatives and the Committee on Commerce,
17 Science, and Transportation of the Senate a report of this
18 evaluation.

19 **SEC. 7. DEFINITIONS.**

20 As used in this Act, the following definitions apply:

21 (1) CHILD RESTRAINT.—The term “child re-
22 straint” means any product designed to provide re-
23 straint to a child (including booster seats and other
24 products used with a lap and shoulder belt assem-
25 bly) that meets applicable Federal motor vehicle

1 safety standards prescribed by the National High-
2 way Traffic Safety Administration.

3 (2) PRODUCTION YEAR.—The term “production
4 year” means the 12-month period between Sep-
5 tember 1 of a year and August 31 of the following
6 year.

7 (3) PASSENGER MOTOR VEHICLE.—The term
8 “passenger motor vehicle” has the meaning given
9 that term in section 405(f)(5) of title 23, United
10 States Code.

11 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

12 (a) IN GENERAL.—There are authorized to be appro-
13 priated \$5,000,000 to the Secretary of Transportation
14 for—

15 (1) the evaluation required by Section 6 of this
16 Act; and

17 (2) research of the nature and causes of injury
18 to children involved in motor vehicle crashes.

19 (b) LIMITATION.—Funds appropriated under sub-
20 section (a) shall not be available for the general adminis-
21 trative expenses of the Secretary.

○